

REMARKS

Upon entry of this amendment, claims 30-72 will be active in this application.

Applicant would like to first thank Examiner Clardy for indicating that claims 30-33, 37, 38, 42, 43, 46-50 and 52-72 are allowable. Applicant has hereby amended the remaining claims to obviate the last remaining grounds of rejection.

Applicant has adopted the Examiner's suggestion to amend claim 44 to make it dependent from allowable claim 43. This obviates the rejection of claim 44 under 35 USC 112 (as the Examiner notes) and also puts claim 45 in allowable form (because it now depends from an allowable claim).

Claims 34-36 now depend from claim 32 and are, therefore, no longer "substantial duplicates" of claims 31-33, thereby obviating the rejection of these claims under 37 CFR 1.75.

Claims 38-41 have been amended and now use the language suggested by the Examiner at the bottom of page 2 of the Office Action. Accordingly the rejection of these claims under 35 USC 112 as been obviated by amendment.

Claim 51 as been amended. The terms "grape" and "kiwi" have been moved into claims 49, thereby obviating the rejection of claim 51 under 35 USC 112.

Applicant thanks the Examiner for the suggestion to add the word "method" in the preamble of claims 31-60 but respectfully prefers not making that suggested modification to the claim in light of the fact that it is a suggestion and not a basis for rejecting the claims.

Having obviated all of the grounds of rejection in this application and having cancelled all of the claims withdrawn from further consideration in this application, Applicant respectfully requests allowance of the application.

Application No. 10/024,225  
Reply to Office Action of July 9, 2004

Applicants respectfully request early notification of allowance of this application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to be "JP Lavalleye", written over a horizontal line.

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